

FINAL MINUTES
California State Board of Education
July 11-12, 2001

Thursday, July 12, 2001

California Department of Education
721 Capitol Mall, Room 166
Sacramento, CA 95814

Members Present

Susan Hammer, Vice President
Robert Abernethy
Jacqueline C. Boris
Donald Fisher
Nancy Ichinaga
Marion Joseph
Suzanne Tacheny

Member Absent

Reed Hastings, President
Carlton Jenkins
Vicki Reynolds
Vacancy

Call to Order

Vice President Hammer called the meeting to order at 8:10 a.m.

Salute to the Flag

Vice President Hammer invited Mrs. Ichinaga to lead the members, staff, and audience in the Pledge of Allegiance.

Announcements/Communications

Vice President Hammer reminded the audience that Items 14 and 15 were held over from the previous date. She announced that Item 14 would be heard first, then Item 30, and Item 15 would be heard later in the day.

Vice President Hammer informed the Board that Senator Bruce McPherson had requested that he be allowed to address the Board on Item 18 because he would be on the Senate Floor when the item came up on the agenda. Senator McPherson spoke on behalf of San Lorenzo Valley Unified School District and stated that the district's proposal had his wholehearted support. Vice President Hammer thanked Senator McPherson for coming to speak to the Board.

ITEM 14	Immediate Intervention/Underperforming Schools Program (II/USP) Implementation Grant Awards.	INFORMATION ACTION
---------	--	-----------------------

Wendy Harris, Education Support and Networks Division, stated that the Department was asking for approval of plans for 429 schools. Of those school plans, 149 were recommended unconditionally, and 280 plans were recommended with conditions. She noted that included in

FINAL MINUTES
California State Board of Education
July 11-12, 2001

this list of schools are 47 schools that applied for and are recommended for Comprehensive School Reform Demonstration (CSRD), a federal program. The schools whose plans are approved with conditions will need to address the reviewer's concerns. By approving the plans today, the Board would ensure that funds continue to flow to the schools.

Mrs. Joseph noted that the Board previously modified the criteria for the evaluators. She inquired whether schools were informed that the previous list of approved providers was no longer current. Ms. Harris replied that the schools were informed that the list had expired. She added that her staff had not yet reviewed the new applications for evaluators to create a new list. The Department expects to have the new list completed by mid-August.

Mrs. Joseph asked about a process to inform staff of concerns about prospective evaluators. Ms. Harris replied that the Department could have a referral system that lists the schools an evaluator worked with so that schools can inquire about the work of the evaluator. Mrs. Joseph expressed concern that out-of-state evaluators do not know California's standards. Ms. Harris replied that the application asks about knowledge of standards. Mrs. Joseph stated that she wants to be able to see the applications and requested that a list of approved evaluators be brought to the Board.

Mr. Mockler noted that there is lot of money to help these schools, but little state-level involvement. Department staff does review all plans, and this year's plans are better than last year's plans. However, there are still substantial problems in key areas. An incredible amount of money is being spent on consultants, which gives us pause. Ms. Tacheney noted that it might be interesting, as a follow-up, to see what the good plans and good external evaluators do to help a school.

Mr. Fisher suggested that there be some requirement for a school self-audit. Ms. Harris stated that schools are required to submit evaluations. Ms. Tacheney expressed concern about the continuity and consistency in what the districts and schools must evaluate.

Superintendent Eastin stated that federal law requires some district-level responsibility. State law does not. She thinks the Board shares her concern that there be district responsibility. Mr. Mockler noted that the law requires the district to take action if schools do not reach their five percent growth target. This is one way we track schools' progress.

Vice President Hammer suggested that staff return with information so that the Board could suggest legislation if changes are needed. Mrs. Joseph noted that the program requires that the first year be a planning year, but some schools are ready to go before then. This may be an area of law that should be changed. Ms. Harris offered to pull together a panel of evaluators, schools participating in II/USP, and others to bring information to the Board. Vice President Hammer asked that she do so. Superintendent Eastin stated that she believes that we need to work with the Legislature on some of these issues, including who will take over schools that are not working and have not improved.

Vice President Hammer inquired about underperforming schools that are not on the list. Ms. Harris replied that the budget limits the program to 430 schools per year. More schools

FINAL MINUTES
California State Board of Education
July 11-12, 2001

volunteer for the program than can be funded, and a random selection process is used to select the participating schools. Ms. Harris reported that her staff did a great job of reviewing 429 plans in a very short time, and she publicly thanked them for their many hours of work. Vice President Hammer thanked Ms. Harris and her staff for their hard work.

It was agreed that Department staff would convene a panel of External Evaluators and II/USP local staff in the fall to discuss ways of strengthening II/USP, including how External Evaluators might better work with data. Department staff will also apprise the Board about evaluating activities related to II/USP so that the Board might consider prescribing additional areas for evaluation.

- ACTION: Ms. Tacheny moved that the State Board approve 149 implementation grants without conditions and 280 implementation grants with conditions, as recommended by CDE staff. Ms. Boris seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 30	University of California Process to Determine the Course Content Requirements for A-G College Entrance Courses.	INFORMATION
---------	---	-------------

Vice President Hammer noted that the Board had asked for a presentation on the requirements for college entrance courses some time ago. She stated that the Board was interested in whether alignment to the state standards is one of the criteria for approving the high school courses for college admission.

Dennis Galligani, Associate Vice President for Student Academic Services at the University of California (UC), and Carla Ferri, Director of Undergraduate Admissions and Outreach, presented an overview of the University of California's progress and efforts to build a new relationship between the University of California and the high schools.

There was considerable discussion and a number of questions from the Board on such issues as:

- The impact of the UC criteria on the subject matter taught in A-G required courses
- The need for those criteria to be aligned to the state-adopted standards
- The accessibility of A-G required classes for all students in all schools
- How UC communicates its entrance requirements to students and their parents and ways to improve communication efforts
- The lack of alignment of the math competencies to the state-adopted math standards and the need for alignment to avoid confusion about what should be taught in a seamless K-16 system
- The need for ongoing dialogue with higher education

Vice President Hammer stated that the University of California deserves kudos for its work with community colleges throughout the state and for seamlessly moving students to the University of California. She thanked Mr. Galligani and Ms. Ferri.

FINAL MINUTES
California State Board of Education
July 11-12, 2001

Mr. Mockler requested that the Board acknowledge former Education Undersecretary Diana Michel who was in the audience and noted that she is now working with the University of California.

ITEM 16	Legislative Item: Update and discussion on current year legislation and the revised 2001-02 budget.	INFORMATION ACTION
---------	---	--------------------

Erika Hoffman, Government Affairs Office, gave a brief report and noted that more information was provided in her written report. [Attachment 9.] Ms. Hoffman informed the Board that SB 273 would be heard in the Assembly Appropriations Committee and that SB 233 is continuing to move through the committees. She added that the state budget had not yet been approved.

Report of the Superintendent

Superintendent Eastin included the following topics in her report: (1) graduation speeches she had the pleasure of giving; (2) numerous school visits; (3) the need for mandatory kindergarten; (4) attendance at a Workforce Investment Act Committee meeting; and (5) speaking at meetings of local district superintendents and business organizations.

ITEM 17	Update on Recent Reports and Audits and Possible SBE Action Regarding the Sierra Summit Academy Charter School.	INFORMATION ACTION
---------	---	--------------------

Item 17 was withdrawn.

ITEM 18	Request by San Lorenzo Valley Unified School District to Become an All-Charter District.	ACTION
---------	--	--------

Vice President Hammer stated that each side would have 15 minutes to present to the Board, with an opportunity for rebuttal.

Deborah Herrmann, School Fiscal Services Division, stated that the Department recommends approval of the all-charter district request for a period of three years.

Mrs. Ichinaga inquired if the local governing board would continue to exist. Mr. Mockler replied that in this case, the Board does stay. The major difference is in funding flexibility in that funding restrictions for categorical funds are eliminated.

Vice President Hammer noted that Senator McPherson had spoken earlier in the day in support of the district's request and that Assembly Member Keeley had sent a letter in support of the district's request.

The following people addressed the Board on this issue:

Proponents

Mattie Scott, attorney for San Lorenzo Valley Unified School District
Ray Reinhard, Assistant Superintendent, San Lorenzo Valley Unified School District
Diana Groom, Chief Petitioner, San Lorenzo Valley Unified School District

FINAL MINUTES
California State Board of Education
July 11-12, 2001

Jeff Almquist, County Supervisor, San Lorenzo Valley Unified School District
Julie Haft, District Curriculum Director, San Lorenzo Valley Unified School District
Barbara Sprenger, School Board President, San Lorenzo Valley Unified School District

Opponents

Jim Milgram, Professor of Mathematics at Stanford University and San Lorenzo Valley resident
Jacki Fox Ruby, California Federation of Teachers

Superintendent Eastin stated that as the Superintendent of Public Instruction, she believes this charter proposal meets the requirements of law and is a high quality proposal. It is a well-managed district. The charter school law is intended to foster the kinds of programs before the Board today.

Mr. Abernethy asked Mr. Milgram to describe the math programs used by the district to which he had objections. Mr. Milgram gave a brief description of the problematic math programs. Ms. Tacheny stated that she needed to hear about a focused instructional improvement process, but did not hear about such a process from the speakers. Mr. Mockler stated that the district budget is currently problematic. The district cannot afford the programs they have in place and has apparently not made the decisions necessary to balance its budget. As a result, the district is not able to continue its current educational program. The same program is presented in their charter petition. This district is now asking for the increased flexibility of the charter schools law, which will mean less fiscal oversight. Jan Sterling, School Fiscal Services Division, stated that the law does not require the Department to review the intent of the petition. She added that the Department reviews what is required by law.

Mr. Fisher stated that he understands that the charter schools program was intended to encourage innovation and he does not see any educational innovation in this charter proposal. Ms. Herrmann noted that the statute does not require an innovative program. Mr. Mockler stated that the statute that binds local districts' review of charter petitions allows the denial of a charter petition based on a variety of criteria, including the inability of the petitioners to successfully implement the educational programs in the charter proposal.

- ACTION: Mr. Abernethy moved that the State Board deny the request of the San Lorenzo Valley Unified School District to become an all-charter school district pursuant to Education Code Section 47606 because all of the facts before the State Board, taken in their totality, demonstrate that this district does not appear to have the ability to successfully implement and maintain the district's program under the freedom and flexibility provided to an all-charter district by the Charter School Act. The motion also reaffirmed the State Board's support for the Charter Schools Act, including its provision for all-charter districts when requests to become all-charter districts are consistent with the Act and its intent. Mrs. Ichinaga seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 19	Request by the Edison Charter Academy to Approve a Petition to Renew its Charter and Become a Charter School Under the Oversight of the State Board of Education.	PUBLIC HEARING ACTION
---------	---	-----------------------------

FINAL MINUTES
California State Board of Education
July 11-12, 2001

Prior to consideration of Item 19, Mr. Fisher made the following statement:

“My wife and I are uncompensated members of a nonprofit foundation that has an interest in the Edison Company. Although I do not have any personal financial interest in Edison, I will not participate in the Board’s consideration of this charter application to avoid any appearance of impropriety. Please let the record reflect that I was not present during the consideration of this item.” (Mr. Fisher left the meeting room during the consideration of Item 19.)

Vice President Hammer opened the public hearing at 10:47 a.m.

Ms. Sterling stated that this is a unique request. The Edison Charter Academy is asking for a renewal of a charter that was not renewed at the local level. Also, Edison is a private organization. Ms. Sterling noted that while the Department still had a few questions and concerns, the Department is recommending approval with conditions.

Deborah Connelly, School Fiscal Services Division, stated that the conclusion of the initial review was that it was a sound educational program, but there was insufficient financial information in the charter. This lack of information resulted in an initial recommendation to the Board that there was sufficient reason to deny the charter. Ms. Connelly noted that the Department had received additional information and now recommends approval with conditions. [Attachment 10.]

Superintendent Eastin noted that this was unlike other charter petitions because it is to be run by a private for profit organization. She urged the Board to adopt additional conditions because of the uniqueness of the charter. She added that such conditions are extremely important because of the Board’s fiduciary responsibilities.

Vice President Hammer called for public comment.

The following individuals addressed the Board in support of the charter request:

Gaynor McCown, staff for Edison Charter Academy
Lupe Hernandez, parent
Heather Mobley, parent
Linda Gausman, parent
Vilma Ticas, parent
Mary Hernandez, community member
Bruce Blackee, Blackee Foundation
Riallo Dphrepauletz, Pacific Research Institute
Dave Patterson, California Network of Educational Charters
(There were no speakers opposed to the charter request.)

Vice President Hammer closed the public hearing at 11:10 a.m.

Vice President Hammer thanked the speakers and also thanked Superintendent Eastin and Ms. Sterling for fast-tracking this petition. Mrs. Ichinaga noted that the charter was not using a state-

FINAL MINUTES
California State Board of Education
July 11-12, 2001

adopted math program. Mr. Mockler responded that the law does not require them to use state-adopted programs.

Ms. McCown stated that Edison Charter Academy is using *Everyday Math* after three years of research. She added that if the Board makes having a state-adopted math program a condition of approval, the charter would look at other programs. Mrs. Ichinaga suggested that Edison look at the recently adopted math programs. Mrs. Joseph supported Mrs. Ichinaga's suggestion.

Ms. Tacheney stated that she especially appreciated comments from the parents about the importance of maintaining a quality program. Ms. Boris added that she also appreciated hearing from parents and the community. Vice President Hammer noted that there was a high level of parent participation and the parents were very enthusiastic. She added that the educational program is good and she supports the request. [Attachment 11.]

- ACTION: Ms. Boris moved that the State Board approve the Edison Charter Academy renewal for a period of five years, assigning it charter number 158, subject to the following conditions:
 - (1) Documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings.
 - (2) Agreement to the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities, as contained in the document entitled *State Board of Education-Approved Charter Schools: Expectations for Oversight and Supervision*.
 - (3) Submission of written verification of participation in a special education local plan area (SELPA).
 - (4) Submission for review and approval of the final *Agreement Between the Community Council of the Edison Charter Academy and Edison Schools, Inc.* (management agreement) citing the terms and conditions under which Edison Schools, Inc., will operate the Edison Charter Academy.
 - (5) Submission of a revised proposed operational budget for 2001-02 and cash-flow and financial projections for the next three years of operation.
 - (6) Resolution of the concerns noted in the California Department of Education findings to the petition to the satisfaction of the State Board:
 - Agreement to submit any proposed operational changes, changes to the charter and changes to the management agreement necessitated by the expiration of the settlement agreement and general release between the charter school, Edison

FINAL MINUTES
California State Board of Education
July 11-12, 2001

Schools, Inc., and the San Francisco Unified School District not less than 90 days before the expiration of the agreement.

- Specification of who is responsible for contracting and overseeing an independent annual financial audit, outline of the process of providing audit reports to the State Board and the CDE and specify the time line in which audit exceptions are expected to be addressed.
- Describe a dispute resolution process between the charter school and the State Board of Education that includes the following:
 - Acknowledges that the State Board may include any specific provisions it deems necessary and appropriate;
 - Describes how the costs of the process, if any, would be funded;
 - Recognizes that because the State Board is not a local education agency, it may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter; and
 - Acknowledges the right of the State Board to, at its discretion, take other appropriate action in accordance with Education Code Section 47604.5 and any pertinent regulations.

Satisfaction of these conditions shall be determined by the Executive Director of the State Board of Education in consultation with the State Superintendent of Public Instruction. If the Executive Director determines that any of the conditions are not satisfied, the matter shall be placed on the State Board's agenda as necessary for its further consideration.

Mrs. Joseph seconded the motion. The motion was approved by unanimous vote of the members present. In addition to the absent members, Mr. Fisher was not present when the vote was taken. (Please see Mr. Fisher's statement above.)

ITEM 20	Notice of Proposed Rulemaking for Permanent Regulations on Charter School Petition Review Criteria.	INFORMATION ACTION
---------	---	--------------------

Ms. Sterling presented the item to the Board.

Dave Patterson, California Network of Educational Charters, stated that Board staff and Department staff have been working with the charter school community and listening to its concerns. He added that these regulations are very good work.

- ACTION: Ms. Boris moved that the State Board approve the Notice of Proposed Rulemaking (with a technical amendment regarding the date of the public hearing) as

FINAL MINUTES
California State Board of Education
July 11-12, 2001

recommended by CDE staff. Ms. Tacheny seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 21	Standardized Testing and Reporting (STAR) Program: Including, but not limited to Preliminary Approval of 2002 Contract and Scope of Work for Harcourt Educational Measurement.	INFORMATION ACTION
---------	--	--------------------

Phil Spears, Standards and Assessment Division, provided a brief update on the STAR 2002 contract costs. He drew the Board's attention to the comparison of 2001 costs to 2002 costs. [Attachment 12.] He stated that the cost for 2002 is \$8.6182 per student. He added that the Department is working on one issue in the base price with the Department of Finance.

Mr. Mockler noted that the Board had heard comments from the field about speeding up the timeline for reporting of test scores. Mr. Spears replied that the Department is not asking for action today, but would like to hear Board comments and questions about the contract. Vice President Hammer asked how the 3.8 percent cost-of-living adjustment (COLA) was arrived at. Mr. Warren replied that it is the school district's COLA calculated according to law. Ms. Tacheny noted that the testing priorities the Board has discussed include release of test items and improving score reports. She asked if these were covered in the scope of work. Mr. Spears replied that the score reports are included. The release of test items is not in the scope of work document, but we can discuss this issue.

Superintendent Eastin stated that one conversation that we should have with the Governor and Legislature is to consider proctors to reduce testing irregularities.

ITEM 22	Standardized Testing and Reporting (STAR) Program – Including but not limited to Preliminary Approval of 2002 Contract and Scope of Work for CTB McGraw Hill.	INFORMATION ACTION
---------	---	--------------------

Mr. Spears stated that the number of students taking the test drives the costs of this program. He added that the Department expects to bring a proposal to the Board in September.

ITEM 23	Standardized Testing and Reporting (STAR) Program: Including but not Limited to Approval of 2002 California Mathematics Standards Test Changes for Grades 7-11.	INFORMATION ACTION
---------	---	--------------------

Mr. Spears reported that the Department is working on the concept of developing a general math test for 8th and 9th grades. Mr. Mockler noted that Senator Alpert's legislation would add a math standards test in 8th and 9th grades and that Department is being proactive on this matter.

Mr. Spears stated that the concept is that 8th and 9th grade students would take the tests to encourage students to keep taking math courses, enable students to participate in the Governor's Scholarship program, and identify students at risk of not passing the high school exit exam.

FINAL MINUTES
California State Board of Education
July 11-12, 2001

Mrs. Joseph asked what standards would be tested in the general math test. Mr. Spears responded that the standards from 6th and 7th grades and some algebra standards would be tested.

Ms. Tacheny stated that as a testing liaison, she is concerned about the process that brought this to the Board and how a change will impact the field. Mr. Mockler stated that this proposal is part of SB 233. Ms. Belisle added that this issue is for information only and that no action is being requested at this time. She noted that the Governor has a scholarship program that requires students to take a math test. This proposal addresses which children will be able to take the tests and be eligible for scholarships. Currently, students who are not in the course sequence would not be able to take a test and would be ineligible for scholarships.

Mr. Spears stated that the problem is that students in grades 8 and 9 might not take a math test and then would not be eligible for scholarships. We also have a problem in the scholarship program related to "high flyers," those students who are ahead of the standard course sequence. He outlined a proposal to address the problem. For 2001, we are asking that these students who did not take a math standards test be eligible for scholarship. In 2002, these students will take the math standards test. [Attachment 13.] Vice President Hammer asked for the Board's reaction and there was general consensus to accept the proposal.

Mr. Spears reported that there has been some concern expressed about, and media coverage of, adult testing irregularities. The Department responds to reports of testing irregularities. Usually the Department learns of an adult testing irregularity through the district's self-disclosure. The Department asks districts to investigate the circumstances and send a letter explaining what happened. The Department advises districts on how to flag the answer documents that may involve adult testing irregularities. The Department also uses erasure analysis as an indicator of possible testing irregularities. The Department does not have an investigative arm. The Department asks the district to investigate the possible irregularities and report to the Department. In some cases of adult testing irregularity, Department staff looked at answer documents with district staff. Last year, there were about 55 school districts with adult testing irregularities that were brought to the Department's attention. As of today, there are 72 schools with testing irregularities, including miscoding special education student tests, test preparation, and a range of test administration issues. Mr. Spears noted that the contractor had not yet reported on erasure discrepancies. He emphasized that this is a relatively small number of schools and that there is an increased awareness in the field of testing irregularities.

Ms. Tacheny stated that she thinks some testing irregularities are due to the pressure teachers feel when they do not know what to do with the test data. She inquired how the Board and the Department can help districts to utilize test data in the effective manner that the Elk Grove Unified School District does. Mr. Warren stated that the Department has a contract it has awarded to look at what districts already have in place to help them use this data. Mrs. Ichinaga stated that if principals know what to do with the data, they could use it to improve instruction. She added that this is one reason we need the Governor's principal training initiative.

FINAL MINUTES
California State Board of Education
July 11-12, 2001

Mr. Mockler stated that when you have 8,000 schools, 72 schools with irregularities is a very low rate of adult testing irregularities. He added that teachers are not typically cheaters, and there are few instances of cheating.

Ms. Tacheny asked staff to prepare talking points on this issue for the Board members.

- ACTION: Ms. Tacheny moved that the State Board do all of the following:
 - Authorize CDE staff to work with Harcourt Educational Measurement to develop a standards-based General Mathematics Test for students in grades eight and nine who are not enrolled in (or have not already completed) Algebra I or the initial year of a multiple-year integrated higher-order mathematics course;
 - Require that all students in grades seven through nine take a standards-based mathematics test beginning with the 2002 administration; and
 - Require all students in grades nine through 11 who have completed Algebra II, the third year of a multiple-year integrated higher-order mathematics course, or a yet higher-level mathematics course (e.g., Trigonometry) take the 2002 California High School Mathematics Standards Test (renamed from the 2001 California Grade-11 Mathematics Standards Test).

The blueprint for the General Mathematics Test for Grades Eight and Nine is to be brought to the State Board for approval at a future meeting.

Ms. Boris seconded the motion. The motion was approved by unanimous vote of the members present.

ITEM 27	California English Language Development Test (CELDT): Including but not limited to Title 5 Regulations.	PUBLIC HEARING ACTION
---------	---	-----------------------------

Vice President Hammer noted that the Board would lose a quorum at some point this afternoon, so the Board would hear Items 27 and 28 now.

Mr. Spears stated that this public hearing ends the 45-day comment period. He added that the Department had received three comments during the public review period. Mark Fetler, Standards and Assessment Division, reported on the three comments.

Vice President Hammer opened the public hearing 12:22 p.m. and called for public comment.

Two individuals addressed the Board on this item:

Dr. Sharolyn Hutton, Chaffey Joint Union High School District
Robert Rayborn, Mt. Diablo Unified School District

FINAL MINUTES
California State Board of Education
July 11-12, 2001

Vice President Hammer closed the public hearing at 12:31 p.m.

Mr. Spears noted that the Department is working on some of the issues raised by the speakers, specifically, the requirement for annual testing of oral proficiency. Ms. Tacheny stated that she is comfortable that a student who passes the oral fluency portion of the test at one grade will continue to be orally proficient. Mr. Warren noted that the Board would have information from the first test administration this fall to help inform the discussion and decision. Vice President Hammer suggested waiting for test administration information to make any decision.

Ms. Tacheny stated that she is concerned that in developing this test, the test contractor had not considered the tradeoffs between the amount of testing time and the need for instructional time. Mr. Spears stated that the Department is aware of the concerns and is taking steps to address them.

Ms. Tacheny made a motion that was later withdrawn (see below), and there was considerable discussion about the motion, the timeline for the regulations, the statutory requirements for the test, and the need for consideration of options to decrease the time required for test administration.

- **MOTION MADE/WITHDRAWN.** Ms. Tacheny moved that the State Board amend the proposed regulations to provide that once students had achieved the Early Advanced or Advanced performance level in speaking and listening, that the students not be subject to that portion of the CELDT thereafter. Mr. Fisher seconded the motion. Subsequently, the motion was withdrawn in favor of communication to the field noted below.
- **ACTION:** Ms. Boris moved that the State Board approve the CELDT regulations as presented in the agenda item. The motion included an understanding that a forthcoming communication to the field regarding the state assessment system will include a statement to the effect that (1) options are being considered to streamline administration of the CELDT (such as partial exemption from future administrations of the CELDT once a student achieves the Early Advanced or Advanced proficiency level on a portion of the test) and (2) the State Board intends to consider these options and take action to streamline administration of the CELDT well before the test's 2002 administration window. Mrs. Ichinaga seconded the motion. The motion was approved by unanimous vote of the members present. In addition to the absent members, Mr. Fisher was not present when the vote was taken.

ITEM 28	Revision to the California State Plan (1999-2004) for the Title II: Workforce Investment Act, Adult Education and Family Literacy Act (revised February 2001).	ACTION
---------	--	--------

Mary Weaver, Education Support Systems Division, explained the changes in the state plan in the supplemental agenda and last minute item. [Attachment 14.] Mr. Mockler noted that there were still some changes, which he outlined, that needed to be made to the plan.

FINAL MINUTES
California State Board of Education
July 11-12, 2001

- ACTION: Ms. Boris moved that the State Board approve the proposed revision to the *California State Plan (1999-2004) for the Title II: Workforce Investment Act, Adult Education and Family Literacy Act* (as revised February 2001), as presented by CDE staff, including the technical corrections discussed at the meeting. Ms. Tacheny seconded the motion. The motion was approved by unanimous vote of the members present. In addition to the absent members, Mr. Fisher was not present when the vote was taken.

ITEM 15	California Commission on Teacher Credentialing Draft Standards for Teachers: Subject Matter, Professional Development, and Professional Induction.	INFORMATION
---------	--	-------------

Mary Sandy, Director of the Professional Services Division of the California Commission on Teacher Credentialing, gave a presentation on the implementation of SB 2042. She stated that the goal of the Commission is to adopt the new standards required under SB 2042 in September 2002. The Commission wants to include the Department and the Board in the discussion about the standards. She added that draft versions of the standards are available and suggested that the Board review in particular the *Draft Standards of Quality and Effectiveness for Professional Teacher Induction Programs*.

Mr. Mockler stated that it is important and complicated work to make the connection between teacher preparation and the state-adopted standards. Superintendent Eastin thanked the Commission for its work. She stated that she hopes that this effort results in quality teacher preparation throughout the state. She added that she is interested in how this will impact higher education institutes. Ms. Sandy responded that once the standards are adopted, teacher preparation programs would have two years to implement the delivery of the standards. Their accreditation will depend on meeting the standards the Commission develops.

Mrs. Ichinaga stated that the document is missing one extremely important thing – something that addresses the teacher training textbooks that do not include the state-adopted core content standards. The best teacher training programs teach the teachers how to teach the state-adopted books. Mr. Mockler reiterated that Mrs. Ichinaga would advise the Commission to require that schools of education use materials aligned to state-standards to teach English-language arts.

Mrs. Joseph thanked Ms. Sandy and her staff for their hard work. She noted that the Board is expected to vote on the standards for teacher induction programs and asked for input from Board members for when she and Mrs. Ichinaga meet with the Commission over the next several months. Vice President Hammer thanked Ms. Sandy for her presentation.

Vice President Hammer noted that this would be Arlene Pavey's last Board meeting. She thanked Ms. Pavey, a long-time representative of the California Teachers Association (and, more recently, of Harcourt), for her years and years of work on behalf of children.

FINAL MINUTES
California State Board of Education
July 11-12, 2001

ITEM 24	California High School Exit Examination (CAHSEE): Including but not limited to Presentation of Preliminary Year 2 Evaluation Report.	INFORMATION
---------	--	-------------

Mr. Spears introduced Laress Wise from HumRRO. Mr. Wise presented the key findings and recommendations in the year two evaluation report [Attachment 15.].

The following key findings were reported to the Board:

- There were no significant problems with the exam administered in March 2001.
- The process used to establish testing scores was well designed, well executed, and the resulting passing standards appear reasonable.
- Progress on providing all students adequate opportunity to learn the material covered in the exam has been good but it is too soon to tell whether there will be significant problems in preparing students in the class of 2004 to pass the exam.

HumRRO made two general and six specific recommendations in the report:

- Stay the course.
- The Legislature should continue to consider options for students with disabilities and English learners.
- More technical oversight is needed.
- For future classes, testing should be delayed until the 10th grade.
- A practice test of released items should be constructed and given to districts and schools to use with 9th graders to identify students at risk of failing the exit exam.
- More extensive monitoring of test administration and a system for identifying and resolving issues is needed.
- The state needs a more comprehensive identification system that will allow it to monitor individual student progress.
- The Legislature should specify in more detail how students in special circumstances will be treated by the exam requirements.

Mr. Mockler asked if 6th, 7th, and 8th grade standards-based tests could be used as a predictor of high school exit exam performance. Mr. Wise replied that it would take some time to do, but it is possible. He added, that in his opinion, it would be quicker to construct a practice test.

Mr. Mockler noted that Governor Davis proposed and the Superintendent and Board are supporting AB 1609, which proposes that, in the future, the test be limited to 10th through 12th graders, which is one of HumRRO's recommendations. Mr. Mockler asked that cross-tabulated data for demographic groupings be provided to the Board. Mr. Wise stated that such data are presented in tables in the full report.

Superintendent Eastin thanked HumRRO for its report. She stated that HumRRO has worked closely with staff and been very helpful. She added that she hoped at some point there would be student-level data on which standards a student does not know.

FINAL MINUTES
California State Board of Education
July 11-12, 2001

Vice President Hammer thanked Mr. Wise for his presentation.

ITEM 25	California High School Exit Examination (CAHSEE): Including, but not limited to, a Report on the Work of the Special Education Workgroup.	INFORMATION ACTION
---------	---	--------------------

Mr. Spears reported that the Department has withdrawn Article 3 of the California High School Exit Examination (CAHSEE) regulations due to inconsistencies that need to be addressed. We need to identify the constructs of the items in the exam. The Department has asked the contractor to do this work, which will help inform what accommodations should be used. The work group has met, and they are working on a training document to help school staffs work with the regulations for accommodations. The Department hopes to have a complete packet of information for the Board in September.

ITEM 26	California English Language Development Test (CELDT): Including but not limited to Reclassification Guidelines.	INFORMATION ACTION
---------	---	--------------------

Mr. Warren stated that this item was for review and comment this month, with action to be taken in September. He reported that the regulations the Board approved in September 2000 were never sent out for the 45-day public comment period. The Department proposes to bring the regulations back in September and start the process over again.

Mr. Hill stated that this is just one of those inexcusable staff mistakes. The notice was never sent over to the Office of Administrative Law.

Vice President Hammer suggested that the Board receive both the regulations it passed and the new proposed guidelines. Mrs. Joseph expressed specific concerns about the proposed guidelines. Mr. Warren asked Mrs. Joseph to speak with him about her specific concerns.

Vice President Hammer called for public comment.

The following individuals addressed the Board on this item:

Geno Flores, Long Beach Unified School District
Jeanne Herrick, Alisal Union School District
Robert Rayborn, Mt. Diablo Unified School District
Mary Hernandez, META attorney

Ms. Tacheny stated that it needs to be clear the discussion is about what is good and effective testing not whether there should be an English language development test.

ITEM 29	Proposed Amendment of Title 5, CCR, Regulations Relating to Educational Interpreter Standards.	INFORMATION
---------	--	-------------

Nancy Sager, Deaf and Hard of Hearing Program Consultant, reported that the Advisory Commission on Special Education has seen and approved these proposed regulations. She noted

FINAL MINUTES
California State Board of Education
July 11-12, 2001

that approximately 850 students in California classrooms need interpreter services. The Federal Americans with Disabilities Act (ADA) law requires regulations, and state law gives the Board the authority to promulgate the regulations.

Vice President Hammer stated that this is the first time such regulations have been before the Board and informed the Board that these regulations would be before the Board for action in September.

Adjournment: Prior to adjourning the meeting, Vice President Hammer again extended the State Board's best wishes to outgoing Student Board Member Jackie Boris. Vice President Hammer adjourned the meeting at 3:02 p.m.

Respectfully submitted,
Deborah Franklin
Education Policy Consultant

15 Attachments